HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO: 16884 of 2006

Dated 8th November, 2006

Between:

B. Atchutharamaiah, son of Apparao, aged 24 years, resident of Gudipudi Village, Sathenapalli Mandal, Guntur District.
. Petitioner

And:

1. The Election Commission, represented by its Secretary, Budda Bhavan, Tank Bund, Hyderabad and others.
…Respondents

ORDER:

This writ petition is filed seeking to issue a Writ of

Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondent authorities in declaring the election of the 5th respondent as the sarpanch of the Gudipudi Gram Panchayat, Sathenapalli Mandal, Guntur District, without the total number of votes counted not tallying with the number of votes polled as arbitrary, illegal, null and void and is abuse of the statutory powers conferred on them and to set aside the same and to direct the respondents authorities for recounting the votes of the sarpanch of the Gudipudi Gram Panchayat, Sathenapalli Mandal, Guntur District.

2. Other factual details are narrated in the affidavit filed in support of the writ petition. However, it is brought to the notice of this Court that already Election O.P.No.4 of 2006 was filed on the file of the Junior Civil Judge, Sathenapalli and the same is pending.

3. Hence, liberty is being given to the petitioner to raise all the contentions, raised even in the present writ petition, in the pending O.P. It is needless to say that the matters of this nature have to be disposed of at the earliest point of time.

4. In view of the same, the Junior Civil Judge, Sathenapalli is directed to dispose of the Election O.P.No.4 of 2006 at an early date preferably within a period of four months from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. No order as to costs.

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Justice

P.S.NARAYANA

Date: 8th November, 2006.

Dvs

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